APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,460	12/18/2000	George P. Copeland	AUS9000460US1	4070

35617	7590	09/02/2004

CONLEY ROSE, P.C.
P.O. BOX 684908
AUSTIN, TX 78768

EXAMINER
SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/740,460	COPELAND ET AL.
Office Action Summary	Examiner	Art Unit	
	Mohammad A Siddiqi	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 June 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-18_ is/are pending in the application.

     4a) Of the above claim(s) _4 and 16_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-3,5-15,17,18_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-18 are presented for examination. Claims 4 and 16 have

been cancelled.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis

for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

3.   Claims 1-3,5-15, and 17-18 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Carneal et al. (6,598,048) (hereinafter Carneal) in

view of Helgeson et al. (6,643,652) (hereinafter Helgeson).

4.   As per claim 1, Carneal discloses a software system supporting

distributed web applications (see abstract), comprising:

a parent server page (e.g. col lines 64-67), containing a call to a child

server page (e.g. col 1, lines 58-67 and col 2, lines 1-3, an inline object is

child page);

a cache within a proxy server (e.g. col 7, lines 63-65), containing code

for the parent server page (e.g. col 8, lines 7-10) and child server page (e.g.

col 8, lines 7-10, an inline object is child page), wherein the code for the

parent server page does not contain all the code for the child server page

(fig 7, e.g. col 8, lines 7-44); and

a link associated (fig 7, e.g. col 8, lines 7-15, link is a reference to an

inline object) with the call to the child server page (fig 7, e.g. col 8, lines 7-

15), and encapsulating (e.g. col 8, lines 7-15, encapsulation is the process

of combining elements to create a new entity) information for locating and

executing the code for the child server page (fig 7, e.g. col 8, lines 7-15).

Carneal fails to disclose a cache within a web server. However, it is

well known in the art, caching reduces network load because the data does

not have to be fetched across the network more than once unless the data is

changed. Caching reduces the time required to read and write data.

Implementing external or internal caching to the web server is matter of a

design preference. Web Application server can be implemented with both

internal or external cache to the web server to achieve better performance.

Web application server with an internal cache can also push data to external

caches and invalidate them when needed for security reason. Helgeson does explicitly disclose a cache within a web server (col 63,lines 65-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Carneal's teaching by using Helgeson's teaching because Helgeson uses control over caching in web content server would provide Carneal's system with control over caching in a web server and that will reduces the time required to read and write data in a web server (col 63, lines 59-61).

5.   As per claim 2, Carneal discloses the child server page may be executed using the link, without executing the parent server page (fig 7, e.g. col 8, lines 7-15, link is a reference to an inline object).

6.   As per claim 3, Carneal discloses link further comprises a web page address (e.g. col 1, lines 39-57) and a list of request attributes (e.g. col 8, lines 43-49).

7.   As per claim 5, Carneal discloses an instruction sequence that may be invoked to locate the child server page in the cache (e.g. col 6, lines 35–44).

8.   As per claims 9, 17, and 18, Carneal discloses a method for caching a parent and a child server page (see abstract), comprising:

storing code for the parent server page in a cache (e.g. col 6, lines –

35, homepage is a parent page) located internal to a web server, such that

the code for the parent server page does not contain all lines of code for the

child server page (e.g. col 6, lines 36-44);

storing only one copy (e.g. col 6, lines 36-44, an inline object is a child

page) of the code for the child server page in the cache (e.g. col 6, lines 36-

44);

creating in the code (e.g. col 1, lines 58-67) for the parent server page

a link to the singular copy of the code for the child server page (e.g. col 1,

lines 58-67, link is an external reference and an inline object is a child page)

for locating and executing the code for the child server page (e.g. col 2, lines

24-40); and

associating the link with more than one call to the child server page

(fig 7, e.g. col 8, lines 7-15, link is a reference to an inline object) to execute

from the cache a plurality of the singular copy of the code for the child

server page (col 6, lines 14-45).

9.   As per claim 6, Carneal is silent about the object-oriented software

system.

However, Helgeson discloses object-oriented software system (e.g. col

5, lines 13-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Carneal with Helgeson because it would provide pre-fetching child objects referenced by the parent object in the cache maintained by the proxy or web server, child objects can be sent to the browser without waiting.

10.   As per claims 7 and 10, Carneal is silent about the server page comprises a Java Server Page (JSP).

However, Helgeson discloses the server page comprises a Java Server Page (JSP) (e.g. col 51, lines 20-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Carneal with Helgeson because it would provide pre-fetching child objects referenced by the parent object in the cache maintained by the proxy or web server, child objects can be sent to the browser without waiting.

11.   As per claim 8, Carneal discloses the child (e.g. col 8, lines 7-10, an inline object is child page), in response to a request made to the web server (fig 6) by a client or another web server (e.g. fig 6, col 12, lines 22-29).

Carneal is silent about using JSP (java server pages) technology.

However, Helgeson discloses JSP technology to create web pages (e.g. col 51, lines 20-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Carneal with Helgeson because it would provide pre-fetching child objects referenced by the parent object in the cache maintained by the proxy or web server, child objects can be sent to the browser without waiting.

12.   As per claim 11, Carneal discloses invoking an instruction sequence to locate the code for the child page in the cache (e.g. col 6, lines 35-44), in response to a request made by a web browser (e.g. col 12, lines 22-42).

Carneal is silent about using JSP (java server pages) technology to create web pages.

However, Helgeson discloses the JSP (java server pages) technology to create web pages (e.g. col 51, lines 20-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Carneal with Helgeson because it would provide pre-fetching child objects referenced by the parent object in the cache maintained by the proxy or web server, child objects can be sent to the browser without waiting.

13.   As per claim 12, Carneal discloses executing the code for the child

page using the link, without executing all the code for the parent page (e.g.

fig 7, col 8, lines 7-15).

Carneal is silent about using the JSP (java server pages) technology to

create web pages.

However, Helgeson discloses the JSP (java server pages) technology to

create web pages (e.g. col 51, lines 20-30).

Therefore, it would have been obvious to one of ordinary skill in the art

at the time invention was made to combine Carneal with Helgeson because it

would provide pre-fetching child objects referenced by the parent object in

the cache maintained by the proxy or web server, child objects can be sent

to the browser without waiting.

14.   As per claim 13, Carneal discloses the child page is executed in the

web server in response to a request made by a client (e.g. col 12, lines 22-

45) or another web server (e.g. fig 6).

Carneal is silent about the JSP (java server pages) technology to

create web pages.

However, Helgeson discloses the JSP (java server pages) technology to

create web pages (e.g. col 51, lines 20-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Carneal with Helgeson because it would provide pre-fetching child objects referenced by the parent object in the cache maintained by the proxy or web server, child objects can be sent to the browser without waiting.

15.   As per claim 14, Carneal discloses the child page is executed only if it cannot first be located in the cache (e.g. fig 7, col 8, lines 30-60).

Carneal is silent about the JSP (java server pages) technology to create web pages.

However, Helgeson the JSP (java server pages) technology to create web pages (e.g. col 51, lines 20-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Carneal with Helgeson because it would provide pre-fetching child objects referenced by the parent object in the cache maintained by the proxy or web server, child objects can be sent to the browser without waiting.

16.   As per claim 15, Carneal fails to disclose the cached child page may be updated without also updating the parent page.

However, Helgeson discloses the cached child page may be updated without also updating the parent page (e.g. col 63, lines 59-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Carneal with Helgeson because it would provide pre-fetching child objects referenced by the parent object in the cache maintained by the proxy or web server, child objects can be sent to the browser without waiting.

Response to Argument

Applicant's arguments filed 06/25/04 have been fully considered but they are not persuasive, therefore rejections to claims 1-3, 5-15, and 17-18 is maintained.

In response to applicant's argument "Carneal does not teach or suggest a cache that is internal to, within, or part of a web server". However, it is well known in the art, caching reduces network load because the data does not have to be fetched across the network more than once unless the data is changed. Caching reduces the time required to read and write data. Implementing external or internal caching to the web server is matter of a design preference. Web Application server can be implemented with either internal or external cache to the web server to achieve better

performance. Web application server with an internal cache can also push

data to external caches and invalidate them when needed for security

reason. Helgeson does explicitly disclose a cache within a web server (col

63,lines 65-67). Therefore, it would have been obvious to one of ordinary

skill in the art at the time of the invention was made to modify Carneal's

teaching by using Helgeson's teaching because Helgeson uses control over

caching in web content server would provide Carneal's system with control

over caching in a web server and that will reduces the time required to read

and write data in a web server (col 63, lines 59-61).

In response to applicant's argument "Carneal does not teach or

suggest a cache that is internal to..". Examiner notes that amendment in

claim 1 with the new limitation "a cache within a web server" does not

represent the same by canceling the claim 4. Claim 4 recites "associated

with a web server" which is not "a cache within a web server".

In response to applicant's argument "Carneal does not teach or

suggest a cache containing or storing code from a parent server page", the

examiner respectfully disagrees. Carneal teaches a cache containing or

storing (col 6, lines 16-44) code from a parent server page (fig 7, inline

object embedded in HTML code, col 8, lines 8-50).

In response to applicant's argument "Carneal does not teach or

suggest executing the child server page using the link ", the examiner

respectfully disagrees. Carneal teaches the child server page may be executed using the link, without executing the parent server page (fig 7, e.g. col 8, lines 7-15, link is a reference to an inline object), list of request attributes (Objects contains data and behavior. e.g. col 8, lines 43-49). Therefore, limitations are met by the reference.

Conclusion

17.   **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose

telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS